

Message Text

CONFIDENTIAL

PAGE 01 STATE 077302
ORIGIN L-03

INFO OCT-01 IO-13 ISO-00 OES-07 SP-02 NASA-01 DODE-00
DOE-15 ACDA-12 CIAE-00 PM-05 INR-10 NSAE-00
NSC-05 SOE-02 SS-15 EB-08 OIC-02 /101 R

DRAFTED BY L:L/UNA:DPSTEWART:MAB
APPROVED BY L:L/UNA:DPSTEWART
OES/APT/SA:IMPIKUS
IO/UNP:DAMACUK
S/P:WGATHRIGHT
NASA/LI-15:SDOYLE (SUBS)
DOD/ISA:EMELANSON (INFO)

-----126258 250038Z /75

P R 242350Z MAR 78
FM SECSTATE WASHDC
TO USMISSION GENEVA PRIORITY
INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 077302

E.O. 11652: GDS

TAGS: TSPA, UN

SUBJECT: OUTER SPACE LEGAL SUBCOMMITTEE -- MOON TREATY

REF: GENEVA 4263

1. DEPARTMENT HAS MADE PRELIMINARY REVIEW OF AUSTRIAN PROPOSAL FOR ARTICLE ON EXPLOITATION OF LUNAR NATURAL RESOURCES AND CONCURS IN DEL'S COMMENTS PARA 6 REFTTEL.
2. WHILE PARA 8 OF THE AUSTRIAN TEXT CAN BE READ TO RAISE QUESTION OF PROSPECTIVE COMMITMENT TO RATIFY RESOURCES REGIME TREATY BEFORE AGREEMENT HAS BEEN REACHED ON A TEXT, LANGUAGE DOES NOT APPEAR CLEARLY TO REQUIRE THAT INTERPRE-
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 077302

TATION. IN ANY EVENT, PARA 5 OBLIGES STATES PARTIES TO UNDERTAKE TO ESTABLISH SUCH A REGIME ALONG LINES INDICATED PARA 6, AND DELETION OF LAST PHRASE OF PARA 8 WOULD NOT ALTER RESPONSIBILITY TO ACT IN ACCORDANCE WITH PURPOSES AS SPECIFIED IN PARA 6. THIS SAID, WE AGREE THERE IS ROOM FOR IMPROVEMENT.

3. SUGGEST PARA 4 MIGHT BE REPHRASED AS FOLLOWS: "STATES PARTIES HAVE THE RIGHT TO EXPLORE AND USE THE MOON ON THE BASIS OF EQUALITY WITHOUT DISCRIMINATION OF ANY KIND AND IN ACCORDANCE WITH THE TERMS OF THIS TREATY."

4. AUSTRIAN PROPOSAL DOES NOT DIRECTLY ADDRESS QUESTION OF LUNAR MATERIAL ALREADY IN POSSESSION OF US AND USSR AS RESULT OF PRIOR EXPLORATORY MISSIONS. APPROPRIATE "GRANDFATHER" CLAUSE COULD BE HELPFUL IN THIS REGARD.

5. DEL SHOULD REPORT DEVELOPMENTS WITH RESPECT TO TEXT AS APPROPRIATE. VANCE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INTERNATIONAL LAW, SPACE EXPLORATION
Control Number: n/a
Copy: SINGLE
Draft Date: 24 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE077302
Document Source: CORE
Document Unique ID: 00
Drafter: L/UNA:DPSTEWART:MAB
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780131-0462
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780325/aaaaavfi.tel
Line Count: 74
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 68afadbd-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 GENEVA 4263
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 27 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3204502
Secure: OPEN
Status: NATIVE
Subject: OUTER SPACE LEGAL SUBCOMMITTEE -- MOON TREATY
TAGS: TSPA, UN, OUTER SPACE LEGAL COMMITTEE
To: GENEVA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/68afadbd-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014